

Addressing Domestic Violence in the Workplace:

A National Perspective on Strategies, Challenges
& the Way Forward...





Unfortunately, we have learned about Domestic Violence in the Workplace, and its profound impact, from recent experience...



Where have we been?

A rural delivery employee is confronted and viciously assaulted with a knife by an ex-spouse. The employee survives but sustained serious injuries.

The screenshot shows a news article from the Ottawa Sun website. The article is titled "Manhunt for stabbing suspect" and is dated Sunday, November 08, 2009. The author is Terri Saunders and Scott Taylor. The article describes a violent assault on a rural delivery employee, Claude Legare, by his ex-spouse, Brenda Van Leye. The article includes a photo of Claude Legare and a police press release. The press release states that Legare was stabbed in the chest and sustained serious injuries. The article also mentions that Legare was released from hospital after being treated for minor injuries. The article is displayed in a Windows Internet Explorer browser window. The browser address bar shows the URL: http://www.ottawasun.com/news/ottawa/2009/11/07/11672016.html. The browser window also shows the Windows taskbar at the bottom with several open applications and the system clock showing 3:16 PM on 11/08/2009.

NEWS OTTAWA & REGION

Manhunt for stabbing suspect

TERRI SAUNDERS AND SCOTT TAYLOR, SUN MEDIA
FIRST POSTED: SUNDAY, NOVEMBER 08, 2009 07:00 AM EST | UPDATED: SUNDAY, NOVEMBER 08, 2009 07:53 AM EST



As Brenda Van Leye continued to fight for her life in a hospital yesterday, police launched a massive manhunt to track down the man they believe stabbed her a dozen times.

Less than 24 hours after the 47-year-old employee of Canada Post was attacked outside a Barrhaven Shopper Drug Mart on Friday afternoon, police sent out a photo and a description of Claude Legare, a local mechanic identified by family members as Van Leye's former boyfriend.

Van Leye is a mother who lives in Kemptville and has been employed with Canada Post as a rural delivery person in communities south of the city.

Family members said Van Leye and Legare recently ended a lengthy relationship.

The drugstore, located on Strandherd Dr. just east of Jockvale Rd. in the city's south end, was closed for several hours after the incident as police carried out their investigation into the attack which also left a 21-year-old store employee wounded.

The young man tried to intervene in the attack and was stabbed in the chest. He was later released from hospital after being treated for minor injuries.

Yesterday, one of Van Leye's relatives said he didn't know much about Legare.

"I met him and I didn't think anything bad about him," said Peter Van Leye, the woman's uncle. "But I didn't get to know him."

Police have issued an arrest warrant for Claude Legare for attempted murder, aggravated assault, assault with a weapon, attempted kidnapping and three counts of breach of recognizance.

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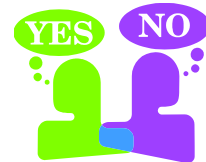
SOCIAL ACTIVITY



Two employees involved in a long standing relationship.

Some previous knowledge of, and speculation by local management & union of an abusive relationship.

Restraining orders presented & later retracted by victim.



Threatening behaviour & comments made to victim and other co-workers.

Investigation conducted, victim attempts to retract statement, allegations substantiated & dismissal occurs.

Post dismissal confirmation of assault convictions on victim and other violent crimes.



An employee reports being stalked and threatened by ex-partner while delivering mail on the street and around the postal facility.

Employee reports that she does not feel threatened & advises that police have warned the ex-partner to stay away. Employee requests to be returned to her route.



Ex again presents himself on the route and indicates that he will get her in trouble with the employer.

Reports to management about history of physical abuse, volatility and drug use.

Decision made jointly with union to remove employee indefinitely from route to secure location.



1. Personal Values vs. Legal Obligations to Safety.



“Shouldn’t become involved in people’s personal lives and their problems...”

“I saw things but it’s not my place to interfere.”

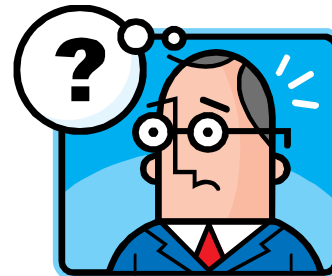
“If the victim doesn’t press charges or the police say there’s nothing that can be done then there must not be an issue.”

“I have been told in confidence as a friend/ Union Representative and/or Team Leader and I don’t want to betray that trust.”

“The Employee Assistance Program has been offered. I have done what I can; now it’s up to them.”

“The restraining order does not indicate that the workplace is an issue so there shouldn’t be any concern.”

“I don’t know what to do.”





2. Complexity of Canada Post Workplace & Roles:

Workplace is defined in our policies as any location in which employees are engaged in the performance of their duties, or in activities related to their duties.

A large majority of our employees leave the security of our buildings and continue performing their duties on the street and in the Canadian countryside:



16, 900 urban delivery personnel

7, 300 rural delivery personnel



When domestic violence occurs with delivery personnel the risks and challenges increase.



- 1. Canada Labour Code Part II, Regulation XX, Violence Prevention in the Workplace**
- 2. Collective Agreement provisions surrounding employee safety, harassment, & workplace violence for all five bargaining units**
 - **Canadian Union of Postal Workers**
 - **Association of Postal Officials of Canada**
 - **Public Service Alliance of Canada**
 - **Rural and Suburban Mail Carriers (CUPW)**
 - **Canadian Postmasters and Assistants Association.**



3. Canada Post's No Harassment, Workplace Violence Prevention & Protection Policy:

Workplace Violence:

any action, conduct, threat or gesture of a person in the workplace that can reasonably be expected to cause harm, injury or illness to an employee, contractor, supplier or other person.

Workplace Violence may be committed by:

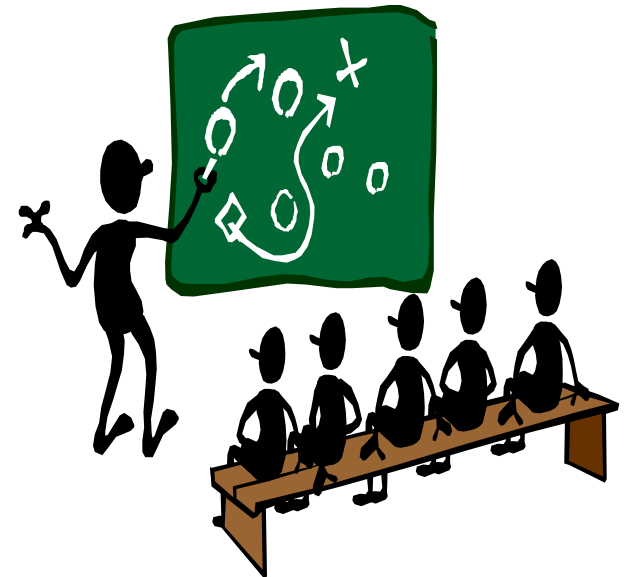
- strangers: people who an employee may encounter in his or her workplace
- customers / clients: someone who receives a service from Canada Post;
- co-workers: current, former or prospective employee at the subordinate, peer or superior level;
- personal relations: a spouse, partner, relative or friend, current or former; or**
- others: including contractors and bargaining agent representatives.



A Critical Incident Response Team is assembled upon report or awareness of any Workplace Violence issue. The objective is to ensure that a solid action plan is in place to respond to the incident and uphold all of CPC's legal obligations.

CIRT Members include:

- Operations Team Leaders
- Security and Investigation Services
- Human Rights & Legislative Programs
- Labour Relations
- Workplace Health & Safety
- Human Resources
- Regional Control Centre





Immediate CIRT calls

Paid Taxi transportation to & from work



Relocation of victim to secure location with on site security & swipe access only

No Trespass order issued by CPC to ex-spouse for workplace

Transparency with Local/ Regional & National Unions-consultation & agreement

Laminated business cards with all emergency contact numbers for delivery employees

Flexible/ modified work schedule where required



Forensic Risk Assessment of Respondent



Local Police attend Letter carrier depots to provide guidance on dealing with confrontation, & violence with the general public

Education for team leaders facilitated by Barb MacQuarrie and London Police Services

Meetings with staff to inform them of risk, physical description & instruction to contact police & mgt.

Warning cards placed at affected letter carrier cases to inform them of potential risk.



Employee Assistance Program referrals

Domestic Violence Outreach organization referrals



Open dialogue with victim about needs & concerns

Decision to not place any employee with similar physical characteristics to victim on delivery route

Secure parking within fenced compounds and security escorts



Contact information:

Jill Orlebar

Human Rights & Legislative Programs, Canada Post

Office: (519) 457-5399

Cell: (519) 280-5462

Email: allison.orlebar@canadapost.ca